

Feb. 10. 2004 11:02AM

MONSANTO PATENT DEPT

No. 8667 P. 2/2



United States Patent and Trademark Office

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4660

Lawrence M. Lavin, Jr. Esq.  
Monsanto Company  
800 N. Lindbergh Boulevard  
St. Louis, MO 63167

Appeal No:  
Appellant:  
Application No:  
Hearing Room:  
Hearing Docket:  
Hearing Date:  
Hearing Time:  
Location:

Paper No: 15

2002-2046  
Dane Fisher et al.  
09/819,843  
[REDACTED]  
Tuesday, March 16, 2004  
[REDACTED]  
Room 12C07  
CRYSTAL GATEWAY 2  
1225 Jefferson Davis Highway  
Arlington, VA 22202

## NOTICE OF HEARING

## CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 1.194(a).  
The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.  
The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

## CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.

This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available. Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.

By order of the Board of Patent Appeals and Interferences

BPAI HEARINGS FAX No:

(703) 308-6200

USPTO Central Fax No.

(703) 872-9306

Paralegal Specialist  
Dianne E. Maggard  
(703)-305-4673

BPAI Mailing Address:

BOARD OF PATENT APPEALS AND INTERFERENCES  
UNITED PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-11450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:

☒ HEARING ATTENDANCE CONFIRMED  
☐ HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Trademark  
David R. Marsh

February 20, 2004

Date

Reg. No. 41,408

Registration No.

MAILED

FEB - 2 2004

U.S. PATENT AND TRADEMARK OFFICE -  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

I hereby certify that the foregoing Confirmation of Hearing is being facsimile transmitted to the USPTO Central Fax number (703-872-9306) and to the Board of Patent Appeals and Interferences Hearing Fax number (703-308-6200)

David R. Marsh (Reg.No. 41,408)

February 20, 2004  
Date

**OFFICIAL****ARNOLD & PORTER LLP**202.942.5000  
202.942.5999 Fax**RECEIVED**  
**CENTRAL FAX CENTER**555 Twelfth Street, NW  
Washington, DC 20004-1206**FEB 25 2004****Fax Transmittal**

February 20, 2004

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CLIENT/MATTER NUMBER	TIMEKEEPER NUMBER	NUMBER OF PAGE(S)
16517.291	4979	We are transmitting 3 page(s) (including this cover sheet)
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Please see the attached.

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ARNOLD & PORTER LLP

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February 20, 2004

VIA FACSIMILEBoard of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Appeal No. 2002-2046

Re: U.S. Patent Application Serial No. 09/619,643 filed July 19, 2000  
Inventors: Dane K. FISHER *et al.*  
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
Atty. Dkt: 16517.291

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office, is a Confirmation of Hearing. A courtesy copy of this letter and its attachment is being sent via facsimile to the Board of Patent Appeals and Interferences.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Appellants do not believe any additional fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.291.

Sincerely,



David R. Marsh (Reg. No. 41,408)

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